REMARKS/DISCUSSION OF ISSUES

Interview. The Applicant thanks the Examiner for the courtesies shown in attempting to arrange an interview and regrets than an interview was unable to proceed.

Specification. The Applicant has amended the specification herein to correct typographical and format errors. No new matter was introduced by the amendments of the specification herein.

Drawings. The attached replacement drawing sheet 1/8 includes a correction of a misspelling of the word "HISTORY" in the label of database 41 as illustrated in FIG. 1. Examiner Janvier is therefore respectfully requested to approve the proposed replacement drawing sheet 1/8.

Claims 1-21. In the Non-Final Office Action, Examiner Janvier rejected pending claims 1-21 under 35 U.S.C. §102(e) as being anticipated by U.S. Patent No. 6,332,127 to *Bandera* et al. The Applicant responds to this rejection as subsequently recited herein, and respectfully requests reconsideration and further examination of the present application under 37 CFR § 1.112.

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As to the §102(e) rejection of pending claims 1-21, the Applicant has thoroughly considered Examiner Janvier's remarks concerning the patentability of pending claims 1-21 over *Bandera*. The Applicant has also thoroughly read *Bandera*. To warrant this §102(e) rejection of pending claims 1-21, *Bandera* must show each and every limitation of independent claims 1, 8 and 15 in as complete detail as in contained in independent claims 1, 8 and 15. See, MPEP §2131. The Applicant respectfully traverses this §102(e) rejection of claims 1, 8 and 15, because *Bandera* teaches away from the following limitations of independent claims 1, 8 and 15:

1. "receiving one or more keywords from the mobile station", "identifying an advertiser profile matching the keywords", and "transmitting an advertisement corresponding to the advertiser profile to the mobile station" as recited in independent claim 1;

2. "means for identifying an advertiser profile matching the keywords", and "means for transmitting an advertisement corresponding to the advertiser profile to said mobile station" as recited in independent claim 8; and

3. "computer readable code for receiving one or more keywords from the mobile station", "computer readable code for identifying an advertiser profile matching the keywords", and "computer readable code for transmitting an advertisement corresponding to the advertiser profile to the mobile station" as recited in independent claim 15.

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As to the traversal, the scopes of independent claims 1, 8 and 15 encompass a "pulling" of advertisements by a mobile station, and the teachings of *Bandera* encompass a "pushing" of advertisements to a mobile station. This distinction between the present invention and *Bandera* is unequivocal in view of a proper operational understanding of the present invention and *Bandera*.

Specifically, *Bandera* teaches a selection of an ad to a user of a mobile web client 21 (FIG. 1) exclusively based on a location of the user and a time of day of a Web page request from the user at block 104 (FIG. 3). Thus, when only a single ad is stored in lookup table 27 (FIG. 1), this single ad will be pushed to each user of a mobile web client 21 having the same general location and same request time of day irrespective of the particular type of Web page request submitted by the users. For example, a user A can request a financial news Web page, a user B can request a sports news Web page, and a user C can request a medical news Web page. If users A-C are standing in the same general location and make their Web page requests at the same time, then in accordance with *Bandera* each user A-C will get that single ad stored in lookup table 27.

By comparison, if users A-C are standing in the same general location and make their Web page requests at the same time, then in accordance with present invention each user A-C will get the single ad stored in lookup table 27 if and only if an advertiser profile associated with the single ad matches one or more keywords in the Web page requests. For example, if the advertiser profile associated with the single ad is related to sports, then user B will receive the single ad based on user B's Web page request being related to sports whereas users A and C will not receive the single ad based on their Web page requests being unrelated to sports.

Clearly, *Bandera* teaches a "pushing" advertisement technique and teaches away from a "pulling" advertisement technique. Withdrawal of the rejection of independent claims 1, 8 and 15 under U.S.C. §102(e) as being anticipated by *Bandera* is therefore respectfully requested.

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Claims 2-7 depend from independent claim 1. Therefore, dependent claims 2-7 include all of the elements and limitations of independent claim 1. It is therefore respectfully submitted by the Applicant that dependent claims 2-7 are allowable over *Bandera* for at least the same reason as set forth herein with respect to independent claim 1 being allowable over *Bandera*. Furthermore, the Applicant respectfully asserts that *Bandera* teaches away from the following limitations of dependent claims 2-5 and 7 for the same reasons as set forth herein with respect to independent claim 1:

1.   "wherein said identification of the advertiser profile is based on the keywords and the location of the mobile station" as recited in dependent claim 2;

2.   "determining a first service area of a base station having the mobile station registered therein", "determining a second service area of a potential handoff base station", and "wherein said identification of the advertiser profile is based on the keywords, the first service area, and the second service area" as recited in dependent claim 3;

3.   "retrieving a user profile corresponding to the mobile station", and "wherein said identification of the advertiser profile is based on the keywords and the user profile" as recited in dependent claim 4;

4.   "determining a location of the mobile station", "retrieving a user profile corresponding to the mobile station", and "wherein said identification of the advertiser profile is based on the keywords, the location of the mobile station, and the user profile" as recited in dependent claim 5; and

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5.   "establishing a communication link between the mobile station and a telecommunication device associated with an advertiser represented in the advertisement in response to a reception of a contact command indicating a desire of a user of the mobile station for an establishment of the communication link" as recited in dependent claim 7.

Withdrawal of the rejection of dependent claims 2-7 under U.S.C. §102(e) as being anticipated by *Bandera* is therefore respectfully requested.

Claims 9-14 depend from independent claim 8. Therefore, dependent claims 9-14 include all of the elements and limitations of independent claim 8. It is therefore respectfully submitted by the Applicant that dependent claims 9-14 are allowable over *Bandera* for at least the same reason as set forth herein with respect to independent claim 8 being allowable over *Bandera*. Furthermore, the Applicant respectfully asserts that *Bandera* teaches away from the following limitations of dependent claims 9-12 and 14 for the same reasons as set forth herein with respect to independent claim 8:

1.   "means for identifying the advertiser profile based on the keywords and the location of the mobile station" as recited in dependent claim 9;

2.   "means for determining a first service area of a base station having the mobile station registered therein", "means for determining a second service area of any potential handoff base station", and "wherein said identification of the advertiser profile is based on the keywords, the first service area, and the second service area" as recited in dependent claim 10;

3.   "means for identifying the advertiser profile based on the keywords
and a user profile corresponding to said mobile station" as recited in
dependent claim 11;

4.   "means for identifying the advertiser profile based on the keywords, a
location of said mobile station, and a user profile corresponding to said mobile
station" as recited in dependent claim 12; and

5.   "means for establishing a communication link between the mobile
station and a telecommunication device associated with an advertiser
represented in the advertisement in response to a reception of a contact
command indicating a desire of a user of the mobile station for an
establishment of the communication link" as recited in dependent claim 14.

Withdrawal of the rejection of dependent claims 9-14 under U.S.C. §102(e) as being
anticipated by *Bandera* is therefore respectfully requested.

Claims 16-21 depend from independent claim 15. Therefore, dependent claims 16-21
include all of the elements and limitations of independent claim 15. It is therefore
respectfully submitted by the Applicant that dependent claims 16-21 are allowable over
Bandera for at least the same reason as set forth herein with respect to independent claim 15
being allowable over *Bandera*. Furthermore, the Applicant respectfully asserts that *Bandera*

teaches away from the following limitations of dependent claims 16-19 and 21 for the same reasons as set forth herein with respect to independent claim 15:

1. "computer readable code for identifying the advertiser profile based on the keywords and the location of the mobile station" as recited in dependent claim 16;

2. "computer readable code for determining a first service area of a base station having the mobile station registered therein", "computer readable code for determining a second service area of any potential handoff base station", and "wherein said identification of the advertiser profile is based on the keywords, the first service area, and the second service area" as recited in dependent claim 17;

3. "computer readable code for identifying the advertiser profile based on the keywords and a user profile corresponding to said mobile station" as recited in dependent claim 18;

4. "computer readable code for identifying the advertiser profile based on the keywords, a location of said mobile station, and a user profile corresponding to said mobile station" as recited in dependent claim 19; and

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5.   "computer readable code for establishing a communication link
between the mobile station and a telecommunication device associated with an
advertiser represented in the advertisement in response to a reception of a
contact command indicating a desire of a user of the mobile station for an
establishment of the communication link" as recited in dependent claim 21.

Withdrawal of the rejection of dependent claims 16-21 under U.S.C. §102(e) as being
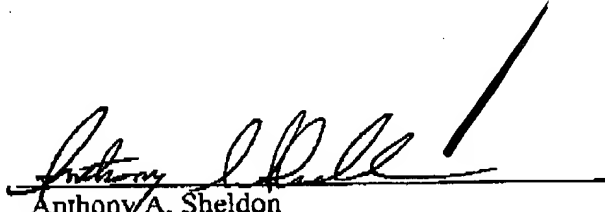anticipated by *Bandera* is therefore respectfully requested.

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CONCLUSION

The Applicants respectfully submit that claims 1-21 as amended herein fully satisfy the requirements of 35 U.S.C. §§102, 103 and 112. In view of the foregoing, favorable consideration and early passage to issue of the present application is respectfully requested.

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